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# TRANSMITTAL FORM

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Application Number	09/497,620
Filing Date	February 3, 2000
First Named Inventor	Douglas E. Ott, et al.
Art Unit	3763
Examiner Name	M. Thompson
Attorney Docket Number	1-15368

Total Number of Pages in This Submission

3

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## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Marshall & Melhorn, LLC D. Edward Dolgorukov
Signature	<i>D. Edward Dolgorukov</i>
Date	6/30/04

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Signature	<i>D. Edward Dolgorukov</i>	Date	6/30/04

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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D. Edward Dolgorakov

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
DOUGLAS E. OTT, et al.	)	Group Art Unit 3763
	)	
Serial No. 09/497,620	)	Examiner: M. Thompson
	)	
Filed: February 3, 2000	)	
	)	Attorney Docket 1-15368
For: METHOD AND APPARATUS FOR	)	
CONDITIONING GAS FOR MEDICAL	)	Paper No. 19
PROCEDURES HAVING HUMIDITY	)	
MONITORING AND RECHARGE ALERT)	)	

June 30, 2004

NOTICE OF RELATED LITIGATION AS REQUIRED BY  
M.P.E.P. § 2001.06 (c) and 37 C.F.R. 1.56

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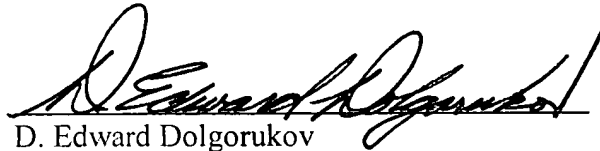
Honorable Sir:

Applicants, in accordance with Section 2001.06(c) of the Manual of Patent Examining Procedure, hereby give notice of litigation related to this application. The present application is a division of application Serial No. 09/081,186, filed May 19, 1998, for Method and Apparatus for Conditioning Gas for Medical Procedures Having Humidity Monitoring and Recharge Alert, now United States Letters Patent No. 6,068,609. Applicant's Assignee has now charged at least one party with infringement of this patent, and has instituted litigation styled *Lexion Medical LLC v. Northgate Technologies, Inc. et al.*, Civil Action No. 1:04CV 0167, United States District Court for

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the Eastern District of Texas. Applicants will bring to the attention of the Office all information, which may be material to the examination of the present application. To date there has been no discovery which is material to the examination of the application.

Respectfully submitted,



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Registration No. 26,266

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